

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:05CR0432</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Judge John M. Manos</b>
	)	
<b>SHOMARI CURTIS,</b>	)	
	)	
<b>Defendant.</b>	)	<b><u>ORDER</u></b>

On August 31, 2005, the Grand Jury returned an Indictment charging Shomari Curtis, Defendant, with one (1) count of violating 21 U.S.C. § 841 (a)(1) (possession with intent to distribute cocaine). (Docket No. 8.)

On October 31, 2005, Defendant filed a motion to suppress. (Docket No. 20.) On December 27, 2005, the Government filed a response. (Docket No. 27.)

This matter was referred to a Magistrate Judge. On February 21, 2006, the Magistrate Judge issued a report in which he recommends that the motion to suppress be granted. (Docket No. 36.) Pursuant to 28 U.S.C. § 636(b)(1)(C) and Local Criminal Rule 5.3(b), he informed the parties that they had ten (10) days to file objections. (Docket No. 36, at 30.)

Subsequent review is waived if a party does not timely file objections to a Magistrate Judge's report, unless good cause is shown. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6<sup>th</sup> Cir. 1981); see also 28 U.S.C. § 636(b)(1)(C). On March 16, 2006, the government notified the Court that it would not be filing any objections.

Accordingly, the Court hereby **ADOPTS** the findings and conclusions of the Magistrate Judge. The motion to suppress is **GRANTED**.

**IT IS SO ORDERED**

**Date: March 24, 2006**

/s/ John M. Manos  
**UNITED STATES DISTRICT JUDGE**